

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 ALFONSO GARCIA,

5 Plaintiff,

6 v.

7 TRUGREEN LIMITED PARTNERSHIP, et
8 al.,

9 Defendants.

Case No. 2:14-cv-01137-APG-CWH

**Order Accepting Report &
Recommendation and Dismissing Case**

(Dkt. #17)

10 On September 26, 2014, Magistrate Judge Ferenbach entered his Order and Report &
11 Recommendation [Dkt. #17] recommending dismissal of all of Plaintiff's claims. No objection
12 has been filed to that Report and Recommendation. Thus, I am not required to conduct "any
13 review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140,
14 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a
15 magistrate judge's report and recommendation where no objection has been filed. *See United*
16 *States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review
17 the magistrate judge's findings and recommendations de novo if objection is made, but not
18 otherwise."); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (Based on
19 *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any
20 issue that is not the subject of an objection."). Because there is no objection to Magistrate Judge
21 Ferenbach's recommendation, I may accept it without review.

22 Nevertheless, I have reviewed the issues set forth in the Report & Recommendation. In
23 that document, Magistrate Judge Ferenbach sets forth the proper legal analysis, and the factual
24 basis, for his decision. Therefore,

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1 IT IS HEREBY ORDERED that the Report & Recommendation [Dkt. #17] is accepted,
2 and this case is DISMISSED. The clerk of the court shall enter Judgment accordingly.

3 Dated: December 22,2014

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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